

19880606

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, JUNE 6, 1988

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:07 p.m.
Chairperson Struiksma recessed the meeting at 10:00 p.m. to meet in
Closed Session at 9:30 a.m. on Tuesday, June 7, 1988, in the 12th
floor conference room to discuss pending litigation, and to
reconvene the meeting immediately thereafter.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-excused by R-271268
(ill)
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Dale S. Bringman of

the St. Peters By The Sea Lutheran Church.
FILE LOCATION: MINUTES

Jun-6-1988
ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Wolfsheimer.
FILE LOCATION: MINUTES

Jun-6-1988
ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
5/2/88
5/3/88

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C016-028.)

MOTION BY HENDERSON TO APPROVE. Second by McColl. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-31: PROCLAIMED

Proclaiming the month of June, 1988, to be "Aquatic Safety
and Learn to Swim Month".

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A062-109.)

ITEM-32: (88-2534) ADOPTED AS RESOLUTION R-271055

Proclaiming June 6-11, 1988 to be "Miss California
Scholarship Pageant Week".

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A100-145)

MOTION BY HENDERSON TO ADOPT. Second by Struiksma. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-33: DENIED HEARING

Matter of the request of Edward Sabbaugh, for a hearing of
an appeal from the decision of the Board of Zoning Appeals

in denying a variance to (1) convert an existing second unit to guest quarters where such use was permitted by agreement and second unit is not permitted in an R1-5000 Zone; (2) parking spaces to observe a 2'-0" front yard where 15'-0" is required; (3) maintain a floor area ratio of .87 where .75 was permitted; (4) maintain an eave projection observing a 2'-0" side yard at the closest point on the west side yard where 2'-6" is the minimum permitted; (5) maintain an 8'-0" high plant gazebo observing a 2'-0" front yard where 15'-0" is required. The subject property is located at 2347 Geranium Street in the R1-5000 Zone, 30' Coastal Height Limit Zone, and Proposition "D" Height Limitation area and is more particularly described as Lot 10, Block 10, Floral Terrace, Map-1635 in the Pacific Beach Community Plan area.

(Case CUP-19799. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE - ZONING APPEALS CUP-19799

COUNCIL ACTION: (Tape location: A146-196.)

MOTION BY HENDERSON TO DENY THE HEARING AND TO UPHOLD THE ZONING

ADMINISTRATOR'S DECISION. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: DEEMED DENIED

Matter of the requests of Residents of Creek Road, by Margaret Williams, City of Poway; by James L. Bowersox, City Manager; and the San Diego Chapter of the Sierra Club, by Kathleen H. Giles for a hearing of the appeals from the action of the Planning Commission in upholding the decisions of the Planning Director and the Subdivision Board, approving Planned Residential Development Permit PRD-87-0884 and Vesting Tentative Map VTM-87-0884 (Scripps Eastview).

The requested permit proposes to construct 360 detached single-family units on a 104.6 net acre site and the requested map proposes to divide the 123.0 gross acres into 375 lots.

The subject property is located on the northwest side of Pomerado Road, in the County S90, (approved A-1-10 and HR Zones, and proposed A-1-1, R1-6000, R-3000 and Hillside

Review Overlay (HR) Zones, upon annexation to the City), in the Scripps Miramar Ranch Community Plan area. The subject property is further described as the northwest quarter of the southwest quarter; a portion of the northeast quarter of the southwest quarter; a portion of the northwest quarter of the southeast quarter; a portion of the southeast quarter of the southwest quarter; and a portion of the southwest quarter of the northeast quarter, all in Section 26, Township 14 South, Range 2 West, S.B.B.M. (PRD & VTM-87-0884. District-5.)

A motion granting or denying the requests for a hearing of the appeals.

FILE LOCATION: PERM PRD-87-0884, SUBD SCRIPPS EASTVIEW

COUNCIL ACTION: (Tape location: A196-254.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING BASED ON THE GROUNDS THAT IT MAY HAVE SOME INCOMPATIBILITIES WITH BOTH THE GENERAL AND COMMUNITY PLANS AND, THEREFORE, AN ISSUE OF CITY-WIDE IMPORTANCE. Second by Filner. Failed by the following vote:

Wolfsheimer-yea, Roberts-nay, McColl-nay, Pratt-not present, Struiksma-nay, Henderson-ineligible, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-35: DEEMED DENIED

Matter of the request of the San Diego Chapter of the Sierra Club, by Kathleen Giles, for a hearing of the appeal from the action of the Planning Commission in sustaining the decisions of the Planning Director and the Subdivision Board, approving Planned Residential Development Permit PRD-86-0885 and Vesting Tentative Map VTM-86-0885 (South Creek Parcels 35-48). The permit proposes construction of 715 detached single-family units, a maximum of 287 multi-family units, grading for a neighborhood park and school, and improvements to the Penasquitos Creek. The associated map proposes to divide this site into 754 parcels.

The subject property (approximately 406.7-acres) is generally located south of Poway Road, west of Pomerado Road and the westerly City limits of the City of Poway, north of Spring Canyon Road and Cypress Canyon and east of I-15, in Zones R-1500, R-3000, R1-5000 MHO, R1-6000, R1-8000 and A-1-10, and in the Sabre Springs Community Plan area. The subject property is further described as a portion of the southeast quarter of the northeast quarter and a portion of the northeast quarter of the southeast

quarter, all in Section 21; and a portion of the south half of the northwest quarter, a portion of the northeast quarter of the northwest quarter, the southwest quarter of the northeast quarter and a portion of the south half, all in Section 22, Township 14 South, Range 2 West, S.B.B.M. (PRD & VTM-86-0885. District-5.)

A motion granting or denying the request for a hearing of the appeals.

FILE LOCATION: PERM PRD-86-0885, SUBD SOUTH CREEK PARCELS
35-48

COUNCIL ACTION: (Tape location: A257-345.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING BASED ON CITY-WIDE SIGNIFICANCE. Second by Filner. Failed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-nay, Pratt-not present, Struiksma-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-36: GRANTED HEARING

Matter of the request of Sunburst Homes Company, by James A. Clarke, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Residential Development Permit PRD-87-0883 and Vesting Tentative Map VTM-87-0883 (Sunburst Scripps), which proposes 316 residential units (164 detached single-family residential units and 152 attached housing units). The subject property is located at the northwest side of Pomerado Road, east of the existing terminus of Fronsac Court in the County of San Diego S-90 Zone (prezoned A-1-10, HR and proposed rezoned to Zonings R1-6000, R-3000, CN, R-2500 and HR upon annexation to the City of San Diego.) The subject property is further described as the southwest quarter of the southwest quarter of Section 26; portion of the northwest quarter of Section 35, Township 14 South, Range 2 West, S.B.B.M., all within the boundaries of the Scripps Miramar Ranch Community Plan. (PRD & VTM-87-0883. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM PRD-87-0083, SUBD SUNBURST SCRIPPS

COUNCIL ACTION: (Tape location: B260-314.)

MOTION BY STRUIKSMA TO GRANT THE HEARING BASED ON CONDITION NUMBER FIVE, THAT THE DECISION OF THE PLANNING COMMISSION IS INCONSISTENT WITH THE APPLICABLE COMMUNITY PLANS AND GENERAL PLAN FOR THOSE AREAS NOT HAVING A COMMUNITY PLAN. Second by

McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmayea, Henderson-ineligible, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-50: (O-88-115) CONTINUED TO JUNE 27, 1988

Introduction of an Ordinance amending Chapter VI, Article 4, Divisions 3 and 5, of the San Diego Municipal Code by amending Sections 64.0304, 64.0500 and 64.0512 and by adding a new Division 7, Sections 64.0701 through 64.0711, all relating to Food Establishment Wastewater ("The War on Grease"), to facilitate inspection of wastewater discharges, to prohibit discharges that may obstruct or damage the treatment facility, and to control, by permit food establishments discharging materials into the sewer and to require the installation and maintenance of grease pretreatment devices.

(See City Manager Report CMR-88-262.)

COMMITTEE ACTION: Reviewed by PSS on 5/18/88. Recommendation to approve the City Manager's recommendation and contact the County Health Department to consider a coordination effort. Districts 2, 3, 4, 6 and 7 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B315-406.)

MOTION BY ROBERTS TO CONTINUE FOR THREE WEEKS AT THE REQUEST OF THE CITY MANAGER FOR TIME TO MEET WITH THE RESTAURANT ASSOCIATION. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-51: (O-88-203) RETURNED TO PUBLIC SERVICES AND SAFETY COMMITTEE

Introduction of an Ordinance amending Chapter IX, Article 8, Division 1, of the San Diego Municipal Code by amending Sections 98.0107, 98.0110, and 98.0111, relating to Housing Permits, Housing Permits - Duration and Transfer, and Housing Permit Fees.

(See City Manager Report CMR-88-202.)

COMMITTEE ACTION: Reviewed by PSS on 4/20/88. Recommendation to approve the City Manager's recommendation. Districts 2, 3, 4, 6 and 7 voted yea.

NOTE: See Item 113 on today's docket for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B315-406.)

MOTION BY ROBERTS TO RETURN TO COMMITTEE, AT THE REQUEST OF COUNCIL MEMBER PRATT, FOR FURTHER CONSIDERATION AND STUDY.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-100:

Two actions relative to the Improvement of Alley Block
26, Kensington Park: (1911 Improvement Act)
(Mid-City Community Area. District-3.)

Subitem-A: (R-88-2318) ADOPTED AS RESOLUTION R-271075

Awarding a contract to Mur-Vic Construction Co. Inc.,
for the improvement of Alley Block 26, Kensington Park.

Subitem-B: (R-88-2319) ADOPTED AS RESOLUTION R-271089

Authorizing the expenditure of an amount not to exceed
\$109,323.07 from CIP-44-001, Annual Allocation for Sewer
Main Replacements, Sewer Revenue Fund 41506, for the
purpose of providing funds for the Improvement of Alley
Block 26, Kensington Park and related costs.

CITY MANAGER SUPPORTING INFORMATION: This project consists
of grading and paving of a 15-foot wide alley and the
replacement of a deteriorated 8-inch sewer main. The alley
is located between Marlborough Avenue and Kensington Drive,
and Madison Avenue and Monroe Avenue in the Mid-City area.
The lowest of three bids received was from Mur-Vic
Construction Company, Inc., in the amount of \$120,730.34,
which is 2.9 percent less than the Engineer's estimate.
There is also a 30 percent decrease in the property owners'
estimated assessments.

Aud. Cert. 8800982.

WU-E-88-124.

FILE LOCATION: STRT D-2270 CONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101:

Two actions relative to the Improvement of Alley Block E,
University Heights (Improvement Act of 1911):
(Mid-City and University Heights Community Areas.
District-3.)

Subitem-A: (R-88-2363) ADOPTED AS RESOLUTION R-271090
Awarding a contract to Sapper Construction Co. for the
Improvement of Alley Block E, University Heights.

Subitem-B: (R-88-2364) ADOPTED AS RESOLUTION R-271091
Authorizing the expenditure of an amount not to exceed
\$6,980 from CIP-58-004, Annual Allocation - Miscellaneous
Improvements on City Streets, Capital Outlay Fund 30245,
for the purpose of providing funds for the improvement of
Alley Block E, University Heights.

CITY MANAGER SUPPORTING INFORMATION: The lowest of three bids
received was from Manuel Juarez Construction Company, in the
amount of \$48,200.75, which is 24 percent below the Engineer's
estimate. However, Manuel Juarez Construction Company submitted
a letter of request to withdraw their bid as unfamiliarity with
the assessment act proceedings precluded their bid proposal to
contain sufficient funds necessary to front the 1911 Act Bond
processing. Consequently, it is recommended that the project be
awarded to the second lowest bidder, Sapper Construction
Company, in the amount of \$56,210, which is 10 percent below the
Engineer's estimate. This project consists of grading and
paving a 15-foot wide alley, and repairing a small portion of
the existing sidewalk and pavement adjacent to the alley aprons
on Adams Avenue and Collier Avenue in University Heights.
Aud. Cert. 8800996.

FILE LOCATION: STRT D-2260 CONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-not present, Struiksmay-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-88-1862) ADOPTED AS RESOLUTION R-271092

Awarding a contract to R and H Mechanical, Inc., for
furnishing maintenance of Heating, Ventilating and Air
Conditioning Systems (HVAC) at the Timken Art Gallery in
Balboa Park, as may be required for a period of one year
beginning July 1, 1988 through June 30, 1989, for an

estimated cost of \$26,400, including terms, with options to renew the contract for four additional one-year periods.

(BID-9579A)

(District-8.)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-88-1859) ADOPTED AS RESOLUTION R-271093

Awarding a contract to Chlorinators and Controls, Inc. for the purchase of two lime slakers for Miramar Filtration Plant for a total cost of \$74,560.65, including tax.

(BID-9707)

Aud. Cert. 8801024.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-88-1858) ADOPTED AS RESOLUTION R-271094

Awarding a contract to ARS Enterprises for the purchase of one autoclave for the Alvarado Filtration Plant Laboratory for a total cost of \$29,930.70, including tax and installation. (BID-9678)

Aud. Cert. 8801010.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-88-1864) CONTINUED TO JUNE 27, 1988

Awarding a contract to Pedersen Tree Service for furnishing weed and rubbish abatement, as may be required for a period of 11 months beginning May 1, 1988 through March 31, 1989, for an estimated cost of \$24,500, including tax and terms,

with an option to renew the contract for an additional one-year period, with price increases during option year not to exceed 15 percent of the original contract pricing.
(BID-9613)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C029-074.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 27, 1988, FOR FURTHER REVIEW BY THE CITY MANAGER REGARDING MINORITY, LOW BIDDERS.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present,
Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-106: (R-88-1861) ADOPTED AS RESOLUTION R-271095
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Inviting bids for the construction of Black Mountain Road Bikeway on Work Order No. 118693; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$43,000 from LTF Fund 39005, CIP-58-053, Black Mountain Road Bikeway for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-9795)

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide a Class II Bike Lane on Black Mountain Road from Carroll Centre Road to Mira Mesa Boulevard except for two blocks between Maya Linda and Gold Coast Drive which will be Class III. It is anticipated that the feasibility of installing a Class II Bike Lane on these two blocks will again be evaluated when the road is widened to a six-lane major street in accordance with the "Eight-Owners" Plan. Construction improvements will include removing and restriping existing traffic and bicycle lanes and signing for Class II and III bikeways. This project will provide an important connection for bicyclists traveling between a series of traffic generators, including Miramar Community College, a junior high school and several major employment sites. This bikeway project will also provide connections between two existing regional bikeways.

Aud. Cert. 8800831.

FILE LOCATION: W.O. 118693 CONT - ABC Construction
Company Inc. CONFY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107:

Two actions relative to the vacation of portions of
Gregory, Elm, and Felton Streets:
(Golden Hill Community Area. District-8.)

Subitem-A: (R-88-2354) ADOPTED AS RESOLUTION R-271096

Vacating Gregory Street between Elm Street and Date Street,
Elm Street east of Gregory Street, the easterly half of
Felton Street between Elm Street and Date Street, and the
southerly excess portion of Elm Street between Felton
Street and Gregory Street, all being in connection with the
Golden Villa Apartments (TM-88-0108), under the procedure
for the summary vacation of streets where for a period of
five consecutive years the street or highway to be vacated
has been impassable for vehicular travel and during such
period no public money has been expended for maintenance;
declaring that this resolution shall not become effective
unless and until the final subdivision map for Golden Villa
Apartments (TM-88-0108) has been approved by Council
action; in the event that the final map is not approved by
within three years after adoption of this resolution, this
resolution shall become void and be of no further force or
effect.

Subitem-B: (R-88-2355) ADOPTED AS RESOLUTION R-271097

Certifying that the information contained in Environmental
Negative Declaration END-86-0271 in conjunction with the
Elm and Gregory Apartments (Planned Residential
Development, Tentative Map, Street Vacation, and City Land
Exchange), has been completed in compliance with the
California Environmental Quality Act of 1970, as amended,
and the State guidelines, and has been reviewed and
considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation
has been requested by the abutting property owner in conjunction
with the Golden Villa Apartments (TM-88-0108). The Tentative
Map, which proposes a two-lot subdivision consisting of 2.38
acres, was approved by the Subdivision Board on March 28, 1988.

The vacation area consists of the excess portion of Elm Street west of Gregory Street; the full width of Elm Street east of Gregory Street; Gregory Street south of Elm Street; and the easterly half of Felton Street south of Elm Street. The area-of-vacation is situated in the Golden Hill Community Plan area with portions lying within the R1-5000 and HR Overlay Zones. The vacation totals approximately 1.45 acres of which 0.55 acres is adjacent to City-owned land to be retained as open space.

The remaining 0.90 acres is to be consolidated with the adjoining property to create the 2.38 acre subdivision. This subdivision contains property owned by the Housing Authority and will be developed as a 32-unit apartment complex under PRD-02-71, which was approved by the Planning Commission on June 6, 1987 (6-0 vote). The rights-of-way to be vacated are unimproved and lie mostly within and adjacent to an extensive canyon area which precludes development. Elm Street west of Gregory Street is partially improved and is to be widened as a 56-foot-wide, two-lane local street. The remaining southerly 24-foot-width of Elm Street is considered surplus to future right-of-way requirements. The area proposed for vacation contains public and franchise facilities for which easements are to be provided as part of the final map. Staff review has indicated that the rights-of-way are no longer required for present or prospective public use and may be summarily vacated conditioned upon the approval and recordation of a final map pursuant to TM-88-0108.

FILE LOCATION: SUBITEM A: STRT J-2686; DEED F-4475;

SUBITEM B: STRT J-2686 DEED FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-108: CONTINUED TO JUNE 27, 1988

Two actions relative to the vacation of Old El Camino Real North of Half-Mile Drive:

Subitem-A: (R-88-2352)

Vacating Old El Camino Real north of Half-Mile Drive in connection with North City West Neighborhood 7, Unit 16 (TM-86-0695) under the procedure for the summary vacation of streets where the portion of street to be vacated has

been superseded by relocation; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the easements reserved herein is in, under, over, upon, along and across that portion of Old El Camino Real.

Subitem-B: (R-88-2353)

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0636, concerning El Camino Real realignment, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested in order to proceed with the development of Unit 16 of North City West, Neighborhood 7 (TM-86-0695). This Tentative Map and the related Planned Residential Development (PRD-86-0695) were recommended for approval by the Planning Commission on June 9, 1987. The area of vacation is located in the North City West Community within the N-MF1 Zone. The area of vacation consists of 0.747 acres (approximately 32,500 square feet) and is to be consolidated with the adjoining properties to create a 34-acre multi-family residential development. Density will not be affected since development is controlled by the PRD. The segment of Old El Camino Real to be vacated was improved as a part of the old alignment for El Camino Real. The improvements for this segment of Old El Camino Real were removed after the new alignment for El Camino Real north of Half-Mile Drive was improved to the San Dieguito River and the segment of Old El Camino Real immediately to the north was terminated in a cul-de-sac. The northerly 20 feet of the vacation contains sewer and water facilities for which an easement is to be reserved. The remaining facilities within the vacated are to be abandoned. Staff review has indicated that the right-of-way is no longer required for present or prospective public use and may be summarily vacated.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C075-246.)

MOTION BY WOLFSHEIMER TO DIRECT THE CITY MANAGER TO REVIEW AND SUBSTANTIATE THE ISSUE OF WHETHER OR NOT THE RIGHT-OF-WAY IS NO LONGER REQUIRED FOR PRESENT OR FUTURE USE AND RETURN TO COUNCIL WITH A REPORT IN THREE WEEKS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-yea,

Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-88-2376) ADOPTED AS RESOLUTION R-271098

Approving the acceptance by the City Manager of a grant deed of Christopher Wyer, conveying to the City portions of Section 23, Township 14 South, Range 4 West, S.B.B.M., a vacant 6.4-acre parcel of land on the westerly side of Carmel Valley Road, which is to be subsequently deeded to the State of California for open space preservation; authorizing the expenditure of an amount not to exceed \$1.55 million from Fund 39033, Beau Soleil Property (SAFCO), toward the acquisition of the above property, which was appraised at \$1.68 million, for just compensation purposes; approving the acceptance of the generous donation of Christopher Wyer, in the amount of approximately \$140,000, which represents the difference between the appraised value of \$1.68 million, plus closing costs, and the actual funds expended for the site; authorizing the Mayor and the City Clerk to subsequently execute on behalf of the City, a City standard form deed conveying the subject property to the State of California, after reserving unto the City of San Diego easements and rights-of-way necessary for the future widening of Carmel Valley Road.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The authorization of funds will provide for the acquisition of 6.4 acres of land on the westerly side of Carmel Valley Road for open space purposes. The land, which is contiguous to Torrey Pines State Beach and Park, will be subsequently conveyed to the State by a City deed reserving out easements and right-of-way necessary for the future improvement of Carmel Valley Road. Funds in the amount of \$1.55 million were provided to the City by a State of California, Special Account for Capital Outlay (SAFCO) Grant which the City applied for as authorized by City Council Resolution R-270215, adopted January 25, 1988. The owner, Christopher Wyer, as successor trustee under Trust PR-46933, has generously agreed to donate the approximately \$140,000 difference between the appraised value of the property of \$1.68 million plus closing costs and the available funding of \$1.55 million.

Aud. Cert. 8801036.

FILE LOCATION: DEED F-4477 DEED FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-not present, Struiksmayea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-110: (R-88-2269 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-271099

19880606

Approving the Public Facilities and Recreation Committee's
recommendations that City-owned sites 23A and 942 be
designated for open space; declaring that the City Council,
by making the above designation, in no way intends to bind
itself to permanently utilize the property in accordance
with the designation, and the Council specifically intends
to be able to change the designation at any time or to
utilize the property for any purpose determined to be in
the best interest of the City at the sole discretion of the
Council.

(See City Manager Report CMR-88-224. Clairemont Mesa
Community Area. District-6.)

COMMITTEE ACTION: Initiated by PFR on 4/27/88. Recommendation
to designate City-owned sites 23A and 942 for open space.
Districts 1, 5, 6, 7, and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C247-275.)

MOTION BY HENDERSON TO ADOPT AS AMENDED, CHANGING THE SECOND
PARAGRAPH TO ADD THE WORDING "FOR OPEN SPACE" AND DELETING THE
LAST PARAGRAPH. Second by Struiksmayea. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not
present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-111: (R-88-2312) ADOPTED AS RESOLUTION R-271100

19880606

Commending Josette Case for her dedication and commitment
to the School of the Madeleine and the field of education.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-112: (R-88-2339) ADOPTED AS RESOLUTION R-271101

Commending the Clairemont High School wrestling team for their dedication and outstanding achievements in the field of athletics in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B120-259.)

MOTION BY HENDERSON TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-113: (R-88-2302) RETURNED TO PUBLIC SERVICES AND SAFETY COMMITTEE

Approving the cost recovery and associated fees for the Enhanced Housing Inspection/Enforcement Program as follows:

1) A penalty fee for operating a housing establishment without a permit; 2) A cost recovery fee for reinspection services (after an initial notice and one follow-up inspection); 3) A cost recovery fee for transferal of housing permits.

(See City Manager Report CMR-88-202.)

COMMITTEE ACTION: Reviewed by PSS on 4/20/88. Recommendation to approved the City Manager's recommendation. Districts 2, 3, 4, 6 and 7 voted yea.

NOTE: See Item 51 on today's docket for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B315-406.)

MOTION BY ROBERTS TO RETURN TO COMMITTEE, AT THE REQUEST OF COUNCIL MEMBER PRATT, FOR FURTHER CONSIDERATION AND STUDY.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-88-2349) ADOPTED AS RESOLUTION R-271102

Authorizing the execution of an agreement with Jaykim Engineers, Inc. to prepare plans and specifications for the improvement of the boat launching facility at Lower Otay Reservoir; authorizing the expenditure of an amount not to

exceed \$54,825 from the Water Revenue Fund (41502), Annual Allocations - Various Lakes (CIP-73-230), for the purpose of providing funds for the above project.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City entered into an agreement with the State Department of Boating and Waterways for the amount of \$696,200 in grant funding for the improvement of boat launching facilities at Lower Otay Reservoir. Designed to maximize public access to the recreational benefits of the lake, the improved boat launching facilities are intended to provide boaters with new and improved concrete ramps, courtesy docks, comfort station, and paved parking areas. Advertised in the San Diego Daily Transcript on May 1, 1987, letters of interest were received from different firms, five of which were invited for final interviews. The Water Utilities Department interviewed the five finalists on July 16, 1987 in conformance with Council Policy 300-7 and recommended Jaykim Engineers, Inc. The Engineer's responsibilities include complete plans and specifications and services during construction.

Aud. Cert. 8800993.

WU-U-88-125.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-88-2395) ADOPTED AS RESOLUTION R-271103

Authorizing the execution of an agreement with Nolte and Associates for the design of public improvements in the Newport Avenue Commercial Improvement Area of Ocean Beach; authorizing the expenditure of an amount not to exceed \$85,400 from Fund 18524, Department 5663, Organization 6313, for the above services.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: In the past the City Council has allocated \$675,000 in both Community Development Block Grant and Capital Improvement funds for the design and construction of public improvements in the Newport Avenue Commercial area of Ocean Beach. The improvements include additional lighting, landscaping and sidewalk repairs. The design engineering services requested at this time would prepare preliminary plans, working drawings and bid documents for those

improvements. The design services were advertised in the Daily Transcript on March 11, 1988. The advertisement generated 16 letters of interest. The City Consultant Nominating Committee identified four firms that were further interviewed and evaluated by another panel consisting of City staff and community representatives. The basis for the evaluation included professional qualifications, experience, approach to the project, timeliness and cost. The panel recommended the engineering firm of Nolte and Associates for the project. Subcontractors include Land Studio, landscape architects and Mark Balan and Associates, electrical engineers.

Aud. Cert. 8801035.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-88-2263) ADOPTED AS RESOLUTION R-271104

Authorizing the execution of a Joint Exercise of Powers Agreement with the County of San Diego continuing the San Diego Regional Employment and Training Consortium (RETC) for providing regional employment and training services through the creation of a local consortium.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego and the County of San Diego have jointly cooperated in providing regional employment and training services through the creation of a local consortium. That cooperation is formalized in a Joint Exercise of Powers Agreement which is due to expire on September 30, 1988. A Committee composed of Supervisor John MacDonald, Councilmember Bob Filner, Private Industry Council Chairperson Terry Churchill and others, have met and recommended that the cooperative agreement be continued for an additional five years, until September 30, 1993. The agreement provisions have been reviewed by the Regional Employment and Training Consortium (RETC) Policy Board who concurs in the adoption of a continued partnership between the City, County, and the community. The agreement has been updated and the language simplified wherever possible. There are no significant changes being proposed. The Board of Supervisors and the City Council are each being asked concurrently to adopt the proposed Joint Exercise of Powers Agreement to continue RETC. The City Manager recommends adoption of the resolution to continue the

cooperative arrangement.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: B551-C015.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-not present, Pratt-not present, Struiksmay-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-117: (R-88-2394) CONTINUED TO JUNE 13, 1988

Supporting Assembly Bill 3298 (Killea) - Solid Waste Recycling Act of 1988; directing the Intergovernmental Relations Department to seek amendments to AB 3298 (Killea), which would set forth statewide policies for the development and enactment of local recycling programs; declaring the City Council's support, pursuant to Council Policy 900-6, for related recycling bills AB 4243 (Clute), AB 4607 (Brown), AB 2831 (La Follette), AB 3746 (Eastin), SB 2037 (Rosenthal, et al), AB 3761 (Connelly and Hauser), and AB 3299 (Killea).

COMMITTEE ACTION: Initiated by RULES on 5/18/88.

Recommendation to support AB 3298 (Killea) with amendments; and support AB 4234 (Clute), AB 4607 (Brown), AB 2831 (LaFollette), AB 3746 (Eastin), SB 2037 (Rosenthal, et al) AB 3761 (Connelly and Hauser), and AB 3299 (Killea). Districts 1, 7 and Mayor voted yea. Districts 2 and 3 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B315-406.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK, AS REQUESTED BY THE CITY MANAGER, FOR FURTHER REVIEW WITH THE LEAGUE OF CALIFORNIA CITIES. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (O-88-207) TRAILED AS UNFINISHED BUSINESS DUE TO
LACK OF FIVE AFFIRMATIVE VOTES

Introduction of an Ordinance amending Chapter III, Article 5, Division 1, of the San Diego Municipal Code by adding Sections 35.0103.2 and 35.0116.2, relating to an Addition to the Transient Occupancy Tax and the Utilization of Revenues Derived Therefrom.

(See memorandum from Mayor O'Connor dated 4/21/88; memorandum from City Attorney Witt dated 4/20/88; and

memorandum from Council Member McCarty dated 4/14/88.)

COMMITTEE ACTION: Initiated by RULES on 5/18/88.

Recommendation to support an increase in the Transient Occupancy Tax (TOT) from seven to eight cents, for Council deliberation on June 6, 1988. Districts 1, 2, 3 and Mayor voted yea. District 7 voted nay.

CITY MANAGER SUPPORTING INFORMATION: During the May 18th meeting of the Rules Committee, staff was directed to return to Council with an ordinance increasing the Transient Occupancy Tax by 1 percent effective August 1, 1988.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C276-D475.)

MOTION BY ROBERTS TO APPROVE AS RECOMMENDED BY THE RULES COMMITTEE TO INCREASE THE TRANSIENT OCCUPANCY TAX FROM 7 PERCENT TO 8 PERCENT, EFFECTIVE AUGUST OF THIS YEAR, TO BE PLACED IN THE GENERAL FUND. REFER TO COMMITTEE THE QUESTION OF THE ADDITIONAL 1 CENT BEING RAISED SOMETIME NEXT YEAR AND POTENTIAL FUNDING FOR BALBOA PARK. Second by Wolfsheimer. Failed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-nay, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

MOTION BY HENDERSON TO APPROVE A 2 PERCENT INCREASE IN 1988 AND THEN REFER TO THE APPROPRIATE COMMITTEE TO PREPARE WORDING ON AN ADVISORY VOTE IN NOVEMBER ON THE APPLICATION OF THE FUNDS TO SEE WHETHER OR NOT THE PEOPLE WANT THE CITY TO USE THE TRANSIENT OCCUPANCY TAX FOR BONDING TO PAY FOR MISSION BAY AND BALBOA PARK; DIRECTING THE CITY MANAGER TO PREPARE A PROPOSAL FOR AN AGENCY REVIEW OF THE TOURIST AND CONVENTION CENTER MARKET PLAN ADOPTED IN MAY BY CONVIS AND REPORT BACK TO THE PUBLIC SERVICES AND SAFETY COMMITTEE; AND DIRECTING THE CITY MANAGER TO PREPARE WORDING ON A NOVEMBER BALLOT, IF NECESSARY, TO PERMIT THE COUNCIL TO CONTRACT FOR MARKET WITH PRIVATE PARTIES IN ADDITION TO, OR SEPARATE AND APART FROM, CONVIS. Second by McCarty. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-nay, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

ITEM-151: (R-88-2400) RETURNED TO THE CITY ATTORNEY

Encouraging the use of non-CFCs (Chlorofluorocarbons), biodegradable and recyclable single use plastics by all public and private entities; directing the City Manager to develop and implement guidelines for reducing the amount of CFC-containing, nonbiodegradable and non-recyclable single use plastics.

COMMITTEE ACTION: Initiated by RULES on 5/18/88.

Recommendation to encourage the use of non-CFC, biodegradable and recyclable single use plastics by all public and private entities. The Committee also directed the City Manager to develop and implement guidelines for reducing the amount of CFC-containing, non-biodegradable and non-recyclable single-use plastics. Districts 1, 7 and Mayor voted yea. Districts 2 and 3 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B315-406.)

MOTION BY HENDERSON TO RETURN TO THE CITY ATTORNEY, AT THE CITY ATTORNEY'S REQUEST, FOR PURPOSES OF REVISION OF LANGUAGE.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-152: APPROVED THE REPORT

In the matter of:

Water Utilities Department Special Studies - Financial and Organizational Research Support Activities in Fiscal Year 1989.

(See City Manager Report CMR-88-205.)

COMMITTEE ACTION: Reviewed by PSS on 5/18/88.

Recommendation to forward to Council with no recommendation. Districts 2, 6, and 7 voted yea.

Districts 3 and 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO APPROVE THE REPORT. Second by Henderson.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-88-2327) ADOPTED AS RESOLUTION R-271105

Adoption of a Resolution directing the Auditor and Comptroller to transfer money between departments and funds, as recommended and appropriate, to accommodate year-end budget adjustments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not

present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-88-2337) CONTINUED TO JULY 25, 1988

Declaring S & S Construction Company, formerly Shapell Industries, Inc., to be in default of the terms and conditions of the agreement filed in the office of the City Clerk on October 15, 1979, as Document No. RR-250363, relating to the improvement of Mesa Del Sol; declaring that the City Attorney shall cause notice of this declaration of default to be given to S & S Construction Company, formerly Shapell Industries, Inc., and to SafeCo Insurance Company of America; authorizing the City Manager to complete, or cause to be completed, said work and improvements in accordance with the terms of the agreement.
(See City Manager Report CMR-88-268. Mira Mesa Community Area. District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B474-550.)

MOTION BY STRUIKSMA TO CONTINUE 45 DAYS WITH THE CONDITION THAT THE DEVELOPERS ARE TO GIVE, BY THURSDAY AT THE CLOSE OF BUSINESS, TO THE TRAFFIC ENGINEERING DEPARTMENT, A PROGRAM AND A TIME LINE AS TO EXACTLY WHAT IS BEING ACCOMPLISHED DURING THE TIME OF CONTINUANCE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-88-2249) CONTINUED TO JUNE 27, 1988

Approving the following revisions to the fee schedule for San Diego Jack Murphy Stadium and directing the City Manager to implement the new rates on July 1, 1988:
(See City Manager Report CMR-88-293.)

SAN DIEGO JACK MURPHY STADIUM
FEE SCHEDULE

	CURRENT	PROPOSED	
TYPE OF EVENT/ACTIVITY	RATE	RATE	
Plaza/Concourse Oriented Event			
1. Non-profit event with no admission fee	\$750/day, plus actual costs of service.	\$1,000/day, plus actual costs of service.	
2. Non-profit event with an	\$750/day or 10%	\$1,000/day or	

admission fee of gross admission 10% of gross sales, whichever is admission sales, greater, plus whichever is actual costs of greater, plus service. actual costs of service.

3. Commercial event with an admission fee \$750/day or 10% \$1,500/day or of gross admission 10% of gross sales, whichever admission sales, is greater. whichever is greater.

Parking Lot Oriented Event

1. Non-profit event with no admission fee \$500/day per \$600/day per quadrant. quadrant.
2. Non-profit event with admission fee \$500/day or 10% \$600/day or of gross admission 10% of gross sales, whichever admission sales, is greater, per whichever is quadrant. greater, per quadrant.

	CURRENT	PROPOSED
TYPE OF EVENT/ACTIVITY	RATE	RATE
3. Commercial event with no admission fee	\$500/day per quadrant.	\$1,000/day per quadrant.
4. Commercial event with admission fee	\$500/day or 10% of gross admission sales, whichever is greater, per quadrant.	\$1,000/day or 10% of gross admission sales, whichever is greater, per quadrant.

Parking Rates

Aztec Games, Holiday Bowl, \$2.00 for cars \$3.00 for cars
Special Events \$4.00 for recrea- \$6.00 for
 tional vehicles recreational
 over 20 feet. vehicles over
 20 feet.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B315-406.)

MOTION BY McCARTY TO CONTINUE TO JUNE 27, 1988, AS REQUESTED BY THE CITY MANAGER, DUE TO A NOTICING REQUIREMENT PRIOR TO ADOPTION OF FEES. DIRECTING THE STADIUM AUTHORITY TO ENCOURAGE CAR POOLING TO BALL GAMES AND TO REPORT BACK TO COUNCIL. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-88-2346) ADOPTED AS RESOLUTION R-271106

Authorizing the City Manager to accept the multicomponent grant from the Office of the Criminal Justice Planning to be administered by the District Attorney of the County of San Diego; authorizing the execution of the Grant Award for anti-drug abuse purposes including any extensions on amendments thereof; authorizing to accept the grant funds and expend same for the above purpose; declaring that the City of San Diego shall comply with all provisions required for said project, including any amendment thereof, under the Anti-Drug Abuse Program and the rules and regulations of the Office of Criminal Justice Planning.

CITY MANAGER SUPPORTING INFORMATION: The action before Council today would authorize the Police Department to participate in the "Juvenile Gang Drug Offender Program" for a period of twelve months with funding provided by the Office of Criminal Justice Planning (OCJP). This project is a multi-component project, designed to attack the present lack of coordination within the Juvenile Justice System, addressing the problem of juvenile street gang members who are participating in the sale, use and distribution of narcotics in San Diego County. This program will utilize the services of the San Diego Police and Sheriff's Department, the National City Police Department, the San Diego County District Attorney, the San Diego Probation Department, and the Superior Court/County Clerk's Office. All of these law enforcement components will interrelate in an effort to identify potential juvenile offenders prior to their arrest, and mark them for special judicial treatment as they enter the Juvenile Justice System. The "Juvenile Gang Drug Offender Program" Grant, funded by the Office of Criminal Justice Planning and administered by the County of San Diego, provides funding for the following positions:

One (1) Police Sgt./Detective - 12 months

Two (2) Police Officer II/Detective - 12 months

The Grant funding also includes \$51,502 for purchase of equipment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-88-2118 Rev.1) ADOPTED AS RESOLUTION R-271107

(Continued from the meeting of May 16, 1988, Item 203, at Council Member Roberts' request, for legislative recommendations from Planning and Engineering and Development.)

Authorizing the execution of an agreement with Ekistic Transportation Services to prepare a Transportation Demand Management Program; authorizing the expenditure of an amount not to exceed \$75,000 from Fund 63020, Job Order No. 860387, for the purpose of providing funds for the above project; authorizing the execution of a contract with SANDAG for provision of consultant services to SANDAG to assist in the preparation of a Regional Peak Hour Traffic Management Program.

CITY MANAGER SUPPORTING INFORMATION: On January 20, 1987, the City Council required, as a condition of approval a \$75,000 grant from JB--OS Partnership (the developers of the Chancellor Park Planned Industrial Development) for the purpose of hiring a consultant to prepare a comprehensive traffic reduction program. In August 1987, the Planning Department issued a Request for Proposals (RFP) for the development of a Citywide Transportation Systems Management Program. The primary objective of the program is to reduce traffic congestion during peak travel hours and to reduce use of single occupancy vehicles as the commute mode. The program has now been termed Transportation Demand Management (TDM) to more accurately reflect the objective of producing travel demand reduction strategies. The RFP was published in the San Diego Daily Transcript on August 14, 1987 and mailed to 26 consultant firms that have performed similar work. Nine proposals were received and reviewed by a committee comprised of representatives from Caltrans, MTDB, SANDAG, the Engineering and Development Department, and the Planning Department. The committee ranked the proposals using specified evaluation criteria and selected three firms for interviews. Interviews were conducted on November 20, 1987 by this same committee. Ekistic Transportation Services was selected as the most highly qualified firm. The consultant study is to be completed in 12 months. The work program includes analyzing available data on commuting patterns, employment trends and traffic levels; reviewing and analyzing a variety of existing TDM measures and parking management programs utilized by other communities; advising on a unified ordinance approach to traffic management, parking management and demand management; developing a comprehensive TDM program applicable to San Diego; and developing a Council policy and an ordinance to implement this program. The scope of work includes several meetings with both

the Mobility Planning Advisory Committee, a group comprised of business and community interests and staff, and the community-at-large to assist in formulating TDM policies, building a consensus on viable methods to reduce travel demand and increasing the interest in TDM program participation.

Aud. Cert. 8800929.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: K198-600.)

MOTION BY WOLFSHEIMER TO APPROVE STAFF RECOMMENDATIONS AND TO DIRECT THE CITY MANAGER TO REPORT BACK TO COUNCIL IN THREE WEEKS WITH A STUDY ON A VOLUNTARY EMPLOYEE STAGGERED WORK-HOUR WEEK SCHEDULE FOR OCTOBER, 1988. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-205: (R-88-2401) ADOPTED AS RESOLUTION R-271108

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the Housing Advisory and Appeals Board as follows:
(See memorandum from Mayor O'Connor dated 5/25/88 with resume attached.)

NAME	TERM EXPIRES
David Flores	March 1, 1990
(Reappointment.)	
Marsha Ingersoll, Chairperson	March 1, 1990
(Reappointment.)	
Joseph L. Cross	March 1, 1989
Sheila McCoy	March 1, 1990
(To replace Paul A. Aleman, whose term has expired.)	

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-88-2398) ADOPTED AS RESOLUTION R-271109

Council confirmation of the following appointments by the Mayor to serve as members of the International Affairs Board, for terms to expire as indicated:
(See memorandum from Mayor O'Connor dated 5/24/88 with

resumes attached.)

NAME	TERM EXPIRES
John B. McNeece III (To replace Tontia F. Moss, whose term has expired.)	March 1, 1990
Robert A. Churley (To replace Pat Arthur, whose term has expired.)	March 1, 1990
Jacquelyn Beauregard Dillman (To replace Dana Herbst, who has resigned.)	March 1, 1989
William L. Everitt (To replace Robert J. Watkins, whose term has expired.)	March 1, 1990
Dorothy R. Harmsen (To replace Rudolph Riis, whose term has expired.)	March 1, 1989
Vira Williams (To replace Wilma Wilson, whose term has expired.)	March 1, 1990

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-88-2399) ADOPTED AS RESOLUTION R-271110

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the Old Town San Diego Planned District Review Board, for terms to expire and in categories as indicated:

(See memorandum from Mayor O'Connor dated 5/25/88 with resumes attached.)

Name	Category	Term Expires
Olive A. Chivers (To replace Margaret Townsend, whose term has expired.)	Community Planning Committee Property Owner	March 1, 1991
Paulette Durand (To replace Janet Northrop, whose term has expired.)	Community Planning Committee	March 1, 1990
Richard Warner	Property Owner and	March 1, 1991

(To replace Richard Business Licensee
R. Esparza, whose term
has expired.)

Jeffrey J. Rogers Architect March 1, 1990
(Reappointment.)

Kenneth O'Neal Property Owner March 1, 1990
(Reappointment.)

Doug Livingston Landscape March 1, 1991
(Reappointment.) Architect

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-not present, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-208:

(Continued from the meeting of May 3, 1988, Item 335, at
Council Member Filner's request, for a report from the
Historical Site Board.)

(R-88-2587) ADOPTED AS RESOLUTION R-271111, GRANTING THE
APPEAL AND THE HISTORICAL DESIGNATION WITH
CONDITIONS

19880606

Appeal of Northern Automotive Corporation by David LaBau,
Vice-President, from the decision of the Historical Site
Board in the historical designation of Buildings A and C
(as noted in the report to the Board) and certain interior
architectural elements, murals and art work at the Savage
Tire Factory/Aztec Brewery. The subject property is
located at 2301 Main Street in the Barrio Logan Community
Plan area.

(District-8.)

(Planning Department recommended historical designation of
the buildings and the murals and other art work.)

Adoption of a Resolution granting or denying the appeal and
granting or denying the historical designation, with
appropriate findings to support Council action.

FILE LOCATION: GEN'L - HISTORICAL SITE BOARD DECISIONS,
APPEALS, ETC.

COUNCIL ACTION: (Tape location: I557-K193.)

Hearing began at 8:15 p.m. and halted at 9:13 p.m.

Testimony in favor by Luis Garcia, Alex Cobbel, Scott Benjamin,

David Ball, Daniel Hernandez, and Rachael Ortez.

Testimony in opposition by Mr. Hahn, Kathleen Willetts, Chris Pernell, and Mr. Duchaney.

Mayor O'Connor closed the hearing.

MOTION BY FILNER TO GRANT THE HISTORICAL DESIGNATION OF ALL THE INTERIOR ART WORK IN THE BUILDING AND TO GRANT THE APPEAL OF THE HISTORICAL DESIGNATION OF THE BUILDINGS CONDITIONED UPON DONATION OF THE ART ENSEMBLE TO THE CITY. THE CITY MANAGER IS DIRECTED TO WORK WITH LOUIS GARCIA, INC., REGARDING THE CITY TAKING OWNERSHIP OF THE ART AND THE PROPER STORAGE OF THE MURALS. THE CITY MANAGER IS TO REPORT BACK TO COUNCIL WITH A LEASE THAT WOULD BE GIVEN TO THE HISTORICAL REVIEW BOARD FOR THEIR INPUT ON THE PRESERVATION AND EXHIBITION OF THE ART.

Second by Roberts. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-209:

(Continued from the meetings of February 4, 1988, Item 609, April 12, 1988, Item 331 and May 17, 1988, Item 331,

19880606

Subitem A; last continued at Council Member McCarty's request, due to a lack of 5 affirmative votes and to be heard after the Council Workshop on Growth Management scheduled for May 18, 1988.)

A variance request from the Interim Development Ordinance (IDO) to construct a 3 unit project (includes proposed units and any existing units). The subject property is located at 3776 Jewell Street and is described as Lots 41 and 42 of Block 35 according to Map-895 and Map-894. The R-1500 zoned site is within the Pacific Beach Community Plan area.

Case-87-3005 (Accelerated) (District-6.)

(R-88-2589) ADOPTED AS RESOLUTION R-271112, GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-3005 with appropriate findings to support Council action.

FILE LOCATION: ZONE - IDO VARIANCE CASE-87-3005

COUNCIL ACTION: (Tape location: L050-152.)

Hearing began at 9:43 p.m. and halted at 9:51 p.m.

Testimony in favor by Peter Schipa and Tom Ybarroca.

MOTION BY McCARTY TO GRANT THE VARIANCE REQUEST. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-210:

(Continued from the meetings of February 4, 1988, Item 609, April 12, 1988, Item 331 and May 17, 1988, Item 331,

19880606

Subitem B; last continued at Deputy Mayor McColl's request, to be heard after the Council Workshop on Growth Management scheduled for May 18, 1988.)

A variance request from the Interim Development Ordinance (IDO) to construct a 4 unit project (includes proposed units and any existing units). The subject property is located at 1672 Missouri Street and is described as Lot 12, Block A, Kendricks Addition, Map-1873. The R-1500 zoned site is within the Pacific Beach Community Plan area.

Case-87-2004 (Accelerated) (District-6.)

(R-88-2589) ADOPTED AS RESOLUTION R-271113, DENYING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2004 with appropriate findings to support Council action.

FILE LOCATION: ZONE IDO VARIANCE CASE-87-2004

COUNCIL ACTION: (Tape location: L053-229.)

Hearing began at 9:51 p.m. and halted at 9:56 p.m.

Testimony in favor by Donald Krammer.

MOTION BY HENDERSON TO DENY. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S400: WELCOMED

Welcoming 15 cadets of the Urban League Cadet Program from Keiller Middle School, Morse High School, and the U.S. Air Force Academy.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A345-388.)

ITEM-S401: PRESENTATION

In the matter of an oral presentation concerning the status of the Olympics Training Center project.

(See memorandum from Dave Nielsen dated 5/31/88.)

COMMITTEE ACTION: Initiated by RULES on 5/4/88.

Recommendation to refer a full report to a Monday City Council Meeting. Districts 1, 3, 7 and Mayor voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A389-B119.)

ITEM-S402:

Two actions relative to Hazardous Materials Inspection Program Staffing and Fees:

(See City Manager Report CMR-88-258.)

Subitem-A: (O-88-205 Rev.) HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by adding to the personnel authorization of the Fire Department (120), Fire Prevention Program (12030) positions as follows: 13.35 Fire Prevention Inspector II, 2.00 Fire Prevention Supervisors, and 1.00 Intermediate Typist, all related to the Hazardous Materials Inspection Programs.

NOTE: The second public hearing for the introduction and adoption of the Ordinance will be held on Monday, June 13, 1988.

Subitem-B: (O-88-204 Rev.) INTRODUCED, TO BE ADOPTED ON
JUNE 20, 1988

Introduction of an Ordinance amending Chapter V, Article 5, of the San Diego Municipal Code by amending Section 55.88.104, relating to CEDMAT Program Full Cost Fee Recovery for Inspections.

COMMITTEE ACTION: Reviewed by PSS on 5/18/88. Recommendation to approve the City Manager's recommendation with two changes: 1) Funds collected are to be placed in a separate account and 2) Advisory Group to convene on a regular scheduled basis to assess the program. Districts 2, 3, 6 and 7 voted yea. District 4 not

present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: I494-556.)

MOTION BY McCARTY TO APPROVE. Second by Struiksmā. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmā-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (O-88-155 Rev.1) INTRODUCED, TO BE ADOPTED JUNE 20, 1988

(Continued from the meeting of May 31, 1988, Item 56, at Deputy Mayor McColl's request, on behalf of Mr. Solomon.)
Introduction of an Ordinance amending Chapter IV, Article 2, Division 1, by repealing Section 42.0132 relating to Health Regulated Establishments - Vending Vehicles - Parking Regulated and Chapter V, Article 4, Division 1, of the San Diego Municipal Code by adding Section 54.0122, relating to Regulating Sales from Vending Vehicles and Mobile Food Units (Hot Trucks) to:

- 1) Prohibit vending from vehicles on streets or highways unless lawfully parked and with a ten-foot safety zone in front and rear;
- 2) Prohibit vending from vehicles and pushcarts on public property and sidewalks without a permit issued by the City Manager or Planning Department as appropriate;
- 3) Prohibit vending from vehicles on private property unless in conformity with zoning and land use regulations and permits;
- 4) Regulate vending from vehicles within 500 feet of a school building while school is in session.

(See City Manager Report CMR-87-516.)

COMMITTEE ACTION: Reviewed by PSS on 12/2/87. Recommendation to approve the City Manager's recommendation. Districts 2, 3 and 7 voted yea. Districts 1 and 8 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO INTRODUCE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmā-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (O-88-200) INTRODUCED AND ADOPTED AS ORDINANCE O-17104 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year " by amending Document No. OO-16916-1, as amended and adopted therein, by adding to the Fiscal Year 1988 Capital Improvements Program a new Capital Improvements Project CIP-29-406.0, entitled "Nobel Athletic Area - Acquisition and Development" and by increasing the Capital Improvements Program by the sum of \$800,000 by allocating to said CIP-29-406.0 Park Service Development Fees from funds as follows: \$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460; directing the Auditor and Comptroller to expend \$800,000 from said PSD Fund (\$24,478 from PSD Fund 11481, \$583,053 from PSD Fund 11482, \$181,457 from PSD Fund 11483 and \$11,012 from PSD Fund 13460) for CIP-29-406.0.

(University Community Area. District-1.)

Aud. Cert. 8800899.

NOTE: The first public hearing of this Ordinance was held on Tuesday, May 31, 1988, Item 202A. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (O-88-195) ADOPTED AS ORDINANCE O-17105
(New Series)

(Continued from the meeting of May 31, 1988, Item 54, at Council Member Struiksma's request, due to lack of five affirmative votes.)

Incorporating the "Scripps Miramar Ranch Annexation" into Council District No. 5.

(Introduced on 5/9/88. Council voted 5-2. Districts 1 and 8 voted nay. District 6 ineligible. Mayor not present.)

FILE LOCATION: ANNEX - SCRIPPS MIRAMAR RANCH ANNEXATION

COUNCIL ACTION: (Tape location: L020-049.)

MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT.

Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S406: CONTINUED TO JUNE 13, 1988

(Continued from the meeting of May 31, 1988, Item 201, at the City Attorney's request, for further review.)

In the matter of:

A Report of the Centre City Planning Committee on the Organizational Structure to Market and Promote Centre City.
(See Report No. 88-173. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B407-473.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1988, AS REQUESTED BY THE CITY ATTORNEY'S OFFICE FOR FURTHER REVIEW. Second by Struiksmay. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: TRAILED AS UNFINISHED BUSINESS

In the matter of Ogden Environmental Services, v. City of San Diego, et al.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B407-473.)

ITEM-S408:

(Continued from the meeting of May 31, 1988, Item 334, at Council Member Roberts' request, for full Council.)

1) Proposed Planned Commercial Development Permit PCD-88-0246 which proposes to construct a multi-use development combining 370 attached multi-family residential units with approximately 140,000 square feet of retail center uses, including a Community Center of approximately 3,000 square feet, on a gross site area of 14.0 acres.

2) Proposal to exempt the proposed development from the City's Interim Development Ordinance (IDO) as a revitalization project.

The subject property is located at the northwest corner of Cleveland Avenue and Richmond Street, south of Washington Street, in the C Zone and within the boundaries of the Uptown Community Plan. The legal description of the site

is all of Blocks 186 and 187; portions of Blocks 182 and 183, University Heights, according to amended Map-650; a triangular lot in Pueblo Lot 1117, Pueblo Lands of San Diego, Miscellaneous Map-36; and portions of the following streets to be closed: University Avenue; Vermont Street; Tenth Avenue; and Cleveland Avenue.
(District-2.)

19880606

Subitem-A: (R-88-) ADOPTED AS RESOLUTION R-271114

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0246 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-88-) ADOPTED AS RESOLUTION R-271115

Adoption of a Resolution approving or denying the PCD permit with appropriate findings to support Council action.

Subitem-C: (R-88-2325 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-271116

Adoption of a Resolution declaring that the former Sears site in the Hillcrest area of San Diego, together with adjacent property, is designated to be a revitalization area for the purpose of the Interim Development Ordinance and the property is, therefore, exempt from the provisions of the IDO.

See Items S409 and S410 on today's docket for companion items.

FILE LOCATION: SUBITEM A & B: PERM PCD-88-0246;
SUBITEM C: MEET

COUNCIL ACTION: (Tape location: D476-F600.)

Hearing began at 4:43 p.m. and halted at 6:10 p.m.

MOTION BY ROBERTS TO APPROVE THE PROJECT FOR ITEMS S408, S409, AND S410. Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409:

(Continued from the meeting of May 31, 1988, Item 335, at Council Member Roberts' request, for full Council.)

Two actions relative to the vacation of multiple streets, alleys, and a walkway in connection with the Sears Site: (See City Manager Report CMR-88-267. Uptown Community Area. District-2.)

Subitem-A: (R-88-2310) ADOPTED AS RESOLUTION R-271117

Vacating a segment of Tenth Avenue north of University Avenue, Cleveland Avenue between Tenth Avenue and Vermont Street, an excess portion of University between Tenth Avenue and Vermont Street, an excess portion of Vermont Street north of University Avenue, the alley in Block 187 of University Heights, and the walkway adjacent to Blocks 182, 183, 186 and 187 of University Heights.

Subitem-B: (R-88-2311) ADOPTED AS RESOLUTION R-271118

Certifying that the information contained in Environmental Mitigated Negative Declaration, EMND-88-0246, issued in conjunction with the redevelopment of the Sears Site, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that that said report has been reviewed and considered by the Council.

See Items S408 and S410 on today's docket for companion items.

FILE LOCATION: SUBITEM A: STRT J-2683, DEED F-4470;

SUBITEM B: STRT J-2683 DEED FY88-1

COUNCIL ACTION: (Tape location: D476-F600.)

Hearing began at 4:43 p.m. and halted at 6:10 p.m.

MOTION BY ROBERTS TO APPROVE THE PROJECT FOR ITEMS S409, S408, AND S410. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410:

(Continued from the meeting of May 31, 1988, Item S402, at Council Member Roberts' request, for full Council.)

Two actions relative to the agreement to acquire and develop property with Sears Partnership:

(See City Manager Report CMR-88-289. Uptown Community Area. District-2.)

Subitem-A: (R-88-2313 Rev.1) ADOPTED AS RESOLUTION R-271119

Authorizing the execution of an Agreement to Acquire and Develop Property with Oliver McMillan/Odmark Partnership, covering the approximately 12.660-acre parcel of property at 1290 Cleveland Avenue, known as the "Sears site," pursuant to which agreement the purchaser shall pay \$10.560 million, less an amount not to exceed \$250,000 for actual costs incurred for removal of hazardous wastes, and pursuant to which the purchaser shall construct a Planned Commercial Development and Residential Development; authorizing the execution of a grant deed, conveying to Oliver McMillan/Odmark Partnership (or its nominee) all of the above mentioned Sears site.

Subitem-B: (R-88-2314) ADOPTED AS RESOLUTION R-271120

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0246, issued in connection with the "Sears site," has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

See Item S408 (PCD Permit PCD-88-0246) and Item S409 (10th Avenue Street Vacation) on the supplemental docket of June 6, 1988, for companion items.

FILE LOCATION: SUBITEM A&B: MEET AND DEED F-4474
CONT FY88-1; DEED FY88-1

COUNCIL ACTION: (Tape location: D476-F600.)

Hearing began at 4:43 p.m. and halted at 6:10 p.m.

Testimony in opposition by Jim Kelly Markham, and Andrew Berridge.

Testimony in favor by John Thelan, Joyce Beers, and Test Wilcox

Motion by Filner to take out any C.I.P. commitment, to be postponed until the discussion of the C.I.P. Budget process.

Second by Henderson. Failed by the following vote:

Wolfsheimer-nay, Roberts-nay, McColl-nay, Pratt-not present, Struiksma-nay, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-nay.

Motion by Roberts to approve a commitment to the pedestrian bridge construction for FY 92-93. Second by McCarty. Failed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-nay, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

Mayor O'Connor trailed the motion to Thursday, June 9, 1988, as unfinished business for lack of five yea votes.

MOTION BY ROBERTS TO APPROVE THE PROJECT FOR ITEMS S410, S408,

and S409. Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ADDITIONAL BUSINESS: (R-88-2585) ADOPTED AS RESOLUTION
R-271188

During consideration of the above regular business item,
the following resolution was adopted.
Requesting funding of the traffic study at the intersection
of Washington and Lincoln Streets not to exceed \$30,000,
and improvements as a result of the study, not to exceed
\$200,000.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: D476-F600.)

MOTION BY ROBERTS TO ACCEPT THE SETTLEMENT OF FUTURE TRAFFIC
LITIGATIONS WITH RESPECT TO THE INTERSECTION AT WASHINGTON AND
LINCOLN STREETS. REQUEST THE FUNDING OF THE TRAFFIC STUDY, BY
THE DEVELOPER, NOT TO EXCEED \$30,000. AFTER THE TRAFFIC STUDY
IS COMPLETE, SHOULD THAT TRAFFIC STUDY SHOW THAT THERE ARE
ADDITIONAL IMPROVEMENTS THAT ARE NEEDED AT THAT PARTICULAR
INTERSECTION, THAT THE CITY BUDGET FOR THOSE IMPROVEMENTS, NOT
TO EXCEED \$200,000, AND SCHEDULE FOR FY 91-92. Second by
Henderson. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-not present, Filner-nay, Mayor
O'Connor-yea.

ITEM-S411: (R-88-) TRAILED AS UNFINISHED BUSINESS DUE TO
LACK OF FIVE AFFIRMATIVE VOTES

19880606

Proposed lease for the San Ysidro Recreation Center and
Senior Citizen Center with Casa Familiar.
(See City Manager Report CMR-88-251. San Ysidro Community
Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 5/25/88. Recommendation
to not approve the proposed lease. Districts 5, 6, 7 and 8
voted yea. District 1 not present.

FILE LOCATION: LEAS - Trabajadores de la Raza, Inc.
(The Casa Familiar)

COUNCIL ACTION: (Tape location: F590-I446.)

Motion by Roberts to Refer to the City Manager the consideration
of giving Casa Familiar the use of the Boys Club and the City
keeping the recreation center. Second by Wolfsheimer. No vote
taken.

MOTION BY FILNER TO DENY THE LEASE. Second by Henderson.
Failed by the following vote: Wolfsheimer-nay, Roberts-nay,
McColl-not present, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

ITEM-S412: (R-88-2465) ADOPTED AS RESOLUTION R-271121

Adoption of a Resolution waiving Rule 1e, of the Permanent
Rules of the Council, Section 22.0101 of the San Diego
Municipal Code, to allow the City Council to meet at 10:00
a.m. on Monday, June 13, 1988.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B551-C015.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-not present, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent the meeting was recessed at 10:00 p.m. by
Chairperson Struiksma in honor of the memory of Clarence
Pendleton.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: L230-270).